



Animas

Jim Lindaman to: Sabrina Forrest, Jennifer Lane

10/25/2011 02:08 PM

From: "Jim Lindaman" <jim@yesdurango.com>
To: Sabrina Forrest/R8/USEPA/US@EPA, Jennifer Lane/R8/USEPA/US@EPA

Sabrina and Jennifer,
After listening to you both, Larry Perino, and various other groups, it is my opinion that the best course of action at this time, is a collaborative effort between BLM, Sunnyside, regional stakeholders, and you. Maybe you already agree with this, and I apologize if you do, but seems there are various conflicting ideas on who believes what. I just wanted to go on record for what I believe is the best for now.
Thank you both for your time.

Jim

Jim Lindaman
Silverton Town Trustee
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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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February 1, 2012

Mr. Jim Lindaman
Silverton Town Trustee
939 Greene Street
P.O. Box 477
Silverton, CO 81433

RE: Upper Cement Creek, Colorado

Dear Mr. Lindaman:

Thank you for your October 25, 2011 email in support of a collaborative process to address water quality in Upper Cement Creek.

As you may be aware, we have heard from a number of citizens, other elected officials and stakeholders who have voiced similar interest in working collaboratively to address water quality in Upper Cement Creek. Let me assure you that the United States Environmental Protection Agency (EPA) has not made a decision concerning National Priorities Listing (NPL) of the Upper Cement Creek area. The decision to propose a site for the NPL can only be made after a technical evaluation is completed to determine if the site is NPL eligible. The EPA is just completing this technical evaluation. In addition, both the State and the EPA seek community support prior to a site being proposed for listing and the EPA wants the community to understand why we are looking at this option.

More than 15 years ago, the EPA committed to a community-based environmental protection effort in San Juan County, and indicated that Superfund would not be used as long as progress was being made in improving water quality in the Animas River. Unfortunately, water quality has significantly degraded in the river in the last five years. It is evident that historic mine waste in Cement Creek, a tributary of the Animas, is having a negative impact on the river's water quality. These impacts are likely related to cessation of water treatment in Gladstone and plugging of the American Tunnel. The EPA has compared the last five years of data to earlier data sets that indicated improvements in water quality. The Animas River Stakeholder Group has summarized some of these data and the EPA is also evaluating these data. If experience in other mining impacted areas is any guide, the resources required for solutions to this sort of problem will be substantial, and long-term operation and maintenance of the solution or solutions may be required.

The EPA is working with other federal agencies, the State, and local community members to identify options to reverse the degradation and improve water quality in the Animas. It is too soon to make conclusions about how best to accomplish this goal. However, if the best solutions require substantial and long-term resources, the CERCLA process (Comprehensive Environmental Response, Compensation, and Liability Act) and the NPL may be the only means to assure that full resources

available to the EPA can be committed. Without CERCLA and the NPL process, the EPA is also limited in its ability to fund interim actions and long-term projects that require ongoing operations and maintenance.

The EPA looks forward to continuing the dialogue with you, other local elected officials, and the community regarding possible options to address water quality issues in Upper Cement Creek. If would like to discuss this further, please contact me at 303-312-6607 or holmes.michael@epa.gov.

Sincerely,



Michael Holmes
Project Manager

